

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

CRYSTAL GOOD, individually and as parent and next friend of minor children M.T.S., N.T.K., and A.M.S., and MELISSA JOHNSON, individually and as a parent of an unborn child T.A.J., and JOAN GREEN and SUMMER JOHNSON and MARY LACY and WENDY RENEE RUIZ and KIMBERLY OGIER and ROY J. McNEAL and GEORGIA HAMRA and MADDIE FIELDS and BRENDA BAISEDN, d/b/a FRIENDLY FACES DAYCARE, and ALADDIN RESTAURANT, INC. and R.G. GUNNOE FARMS LLC and DUNBAR PLAZA, INC., d/b/a DUNBAR PLAZA HOTEL, on behalf of themselves and all others similarly situated,

Plaintiffs,

v. Civil Action No. 2:14-cv-1374

WEST VIRGINIA-AMERICAN WATER COMPANY, d/b/a WEST VIRGINIA AMERICAN WATER, and AMERICAN WATER WORKS SERVICE COMPANY, INC. and AMERICAN WATER WORKS COMPANY, INC. and EASTMAN CHEMICAL COMPANY and GARY SOUTHERN and DENNIS P. FARRELL,

Defendants.

ORDER

On September 21, 2018, the court received a one-page document in script entitled "Motion For Hearing," carrying the signature of Richard Gravely. The entirety of the motion states as follows: "Come now Plaintiff Richard Gravely respectfully requesting a hearing in this matter."

Thereafter, on September 27, 2018, the manager of the Settlement Administrator, SmithCochranHicks PLLC ("SCH"), whose name is Darden Greene, received an email issued under the name of Richard Gravely in which the following constitutes the

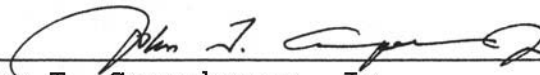
statement of the emailer in its entirety: "Please find enclosed opt-out of claim settlement in WV Water Contamination Settlement." In addition, on that same date, Mr. Greene at SCH received further notice as apparently given by Richard Gravely who wrote as follows: "This is a follow up on our conversation relating to the claim form sent to me on September 25, 2018. This is to confirm that I have opt-out and will pursue my claim I filed in State Court Civil Action 14C-85." (emphasis in original)

A copy of each of the two foregoing items that are directed by Mr. Gravely to Mr. Greene or to SCH are hereby ORDERED filed.

In view of the foregoing exchanges by Mr. Gravely with SCH and inasmuch as the motion provides no basis for the hearing therein requested, it is ORDERED that the motion for hearing filed by Richard Gravely be, and hereby is, denied.

The Clerk is directed to transmit this order to all counsel of record, to SmithCochranHicks PLLC at 3510 MacCorkle Avenue SE, Charleston, West Virginia 25304, and to Richard Gravely at 1663 Doulton Avenue, #204, Huntington, West Virginia 25701.

DATED: May 16, 2019


John T. Copenhaver, Jr.
Senior United States District Judge